

121.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
For Approval of Rate Increases and)
Revised Rate Schedules.)
_____)

DOCKET NO. 05-0315

INTERIM DECISION AND ORDER NO. 23342

Filed April 4, 2007
At 2:30 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))	
HAWAII ELECTRIC LIGHT COMPANY, INC.))	Docket No. 05-0315
For Approval of Rate Increases and))	Interim Decision
Revised Rate Schedules.))	and Order No. 23342
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INTERIM DECISION AND ORDER

By this Interim Decision and Order, the commission approves, on an interim basis, the request of HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO") to increase its rates to such levels as will produce, in the aggregate, \$24,564,500 in additional revenues, or 7.58 per cent over revenues at present rates for a normalized 2006 test year ("2006 Test Year").

The commission also approves, on an interim basis, the adoption of the pension and Postretirement Benefits Other Than Pensions ("OPEB") tracking mechanisms, and interim rates that incorporate the test year net periodic pension costs ("NPPC") of \$2,744,000, and the test year net periodic benefit costs ("NPBC") of \$1,530,400, and amortization of the pension asset of \$2,554,000, to be described herein.

I.

Background

HELCO is a wholly owned subsidiary of Hawaiian Electric Company, Inc., and is a corporation duly organized under the laws

of the Republic of Hawaii on or about December 5, 1894. HELCO is an operating utility engaged in the production, purchase, transmission, distribution and sale of electricity on the island of Hawaii.

A.

Application

On May 5, 2006, HELCO filed an application requesting approval of a rate increase and revised rate schedules.¹ HELCO filed its Application pursuant to HAR Title 6, Chapter 61, Subchapters 2, 6, and 8, Rules of Practice and Procedure before the Public Utilities Commission. HELCO seeks the commission's approval of the proposed rate increase and revised rate schedules pursuant to HRS § 269-16.

On June 26 and 27, 2006, the commission held public hearings at the Hilo High School Cafeteria, in Hilo, Hawaii, and at the Kealahou Intermediate School Cafeteria, in

¹HELCO's Application and Certificate of Service, filed on May 5, 2006, ("Application"). On December 13, 2005, HELCO filed a Notice of Intent and Motion for Approval of Test Period Waiver pursuant to Hawaii Administrative Rules ("HAR") § 6-61-85, stating that it planned to request rate relief based on a 2006 calendar year test period and file an application on or after March 15, 2006, but before June 30, 2006. HELCO's Application requested an increase in revenues of \$29,931,100, or 9.24 per cent, over present rates. HELCO served copies of the Application on the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate") (together with HELCO, the "Parties"), an ex officio party to this docket, pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and HAR § 6-61-62, and on the Mayor of the County of Hawaii. Unless otherwise noted, the term "Parties" refers to HELCO and the Consumer Advocate.

Kona, Hawaii, respectively, to gather public comments on this docket.

On July 6, 2006, the KEAHOLE DEFENSE COALITION, INC. ("KDC"), filed a motion to participate in this docket.² On July 7, 2006, the ROCKY MOUNTAIN INSTITUTE ("RMI") filed a motion to intervene in this docket.³ On July 14, 2006, HELCO submitted a memorandum in support of KDC's Motion to Participate in which HELCO stated that it "supports KDC's Motion to participate with respect to issues related to the expansion of HELCO's Keahole generating station (CT-4, CT-5 and ST-7)."⁴ On July 18, 2006, HELCO submitted a memorandum in opposition to RMI's Motion to Intervene asserting, among other things, that it opposed RMI's Motion to Intervene on grounds that: (1) any general interest which RMI may have in the instant docket can be adequately represented by the Consumer Advocate; (2) RMI did not demonstrate that its intervention as a party would contribute to the development of a sound record in the instant docket; (3) RMI's intervention as a party would unreasonably delay the proceedings; and (4) RMI's interest in the proceeding is limited.⁵

²[KDC's] Motion to Participate in Docket, filed on July 6, 2006.

³Motion to Intervene of the [RMI] and Certificate of Service, filed on July 7, 2006.

⁴HELCO's Memorandum in Response to [KDC's] Motion to Participate in Docket and Certificate of Service, filed July 14, 2006, at 1.

⁵HELCO's Memorandum in Opposition to the Motion to Intervene of the [RMI] and Certificate of Service, filed on July 18, 2006.

By Order No. 22663, filed on August 1, 2006 ("Order No. 22663"), the commission granted KDC's Motion to Participate, limited to the issue of HELCO's expansion of the Keahole Generating Station,⁶ and denied RMI's Motion to Intervene, instead granting RMI participation status, without intervention in this proceeding.⁷

Order No. 22903, filed on September 28, 2006, as amended by Order No. 23153, filed on December 21, 2006 and Order No. 23315, filed on March 23, 2007, governs the proceedings in this docket.⁸

By letter dated March 27, 2007, HELCO filed its statement of probable entitlement ("Statement of Probable Entitlement"), wherein HELCO informed the commission that it reached an agreement with the Consumer Advocate on all differences they had pertaining to the test year revenue

⁶KDC was further limited by the commission to responding to any discovery requests, filing a statement of position, and responding to questions at any evidentiary hearing. See Order No. 22663 at 9.

⁷By Notice of Withdrawal filed on November 29, 2006, RMI informed the commission that it would be withdrawing as a participant from this proceeding. By Order No. 23108, filed on December 5, 2006, the commission approved RMI's withdrawal as a participant in this proceeding.

⁸On December 8, 2006, HELCO and the Consumer Advocate, with the approval of KDC, submitted a proposed revised stipulated procedural schedule for the commission's review and approval. By letters dated March 19, 2007 and March 21, 2007, HELCO, requested, and the Consumer Advocate did not oppose, further revisions to the schedule of proceedings set forth in Order No. 22903, as amended. Pursuant to Order No. 22903, as amended, on February 20, 2007, KDC filed its Position Statement of the Keahole Defense Coalition.

requirements. Exhibit I, attached to the Statement of Probable Entitlement, set forth the results of the agreement between HELCO and the Consumer Advocate on the 2006 Test Year revenue requirements ("HELCO's Exhibit I"). HELCO also attached Exhibit II to the Statement of Probable Entitlement, which is an alternate calculation of probable entitlement, showing the impact of removing an amount for pension amortization should the commission not approve the establishment of the pension tracking mechanism in this interim decision and order.

The Consumer Advocate filed a letter dated March 28, 2007 ("Consumer Advocate Response"), concerning the Statement of Probable Entitlement, essentially confirming its agreement with HELCO on revenue requirements, and explaining that HELCO and the Consumer Advocate will continue discussing certain rate design matters.

B.

HELCO's Requests

HELCO proposes that the commission grant rate relief in two (2) steps:

1. Interim increase, equal to the increase in rates to which the commission believes HELCO is "probably entitled" based on the evidentiary record before it; and

2. Final increase, when the commission issues its final decision and order to provide for the amount, if any, of HELCO's total requested revenue increase not included in the interim rate increase. HELCO requests that its proposed rate

design changes be implemented when the final increase becomes effective, at which time it will concurrently terminate the interim rate increase surcharge.

C.

Consumer Advocate Response

The Consumer Advocate stated that it has completed its review of the schedules provided in the Statement of Probable Entitlement, and based upon that review, informs the commission that the revenue requirement set forth in HELCO's Exhibit I reflects the agreement with the Consumer Advocate on the 2006 Test Year revenue requirement. Consumer Advocate Response at 1. In particular, the Consumer Advocate: (1) agrees that HELCO is probably entitled to interim rate relief of an additional \$24,564,500 over revenues at present rates; (2) concurs with HELCO's request for commission approval to adopt the agreed-upon pension and OPEB tracking mechanisms in the instant interim decision and order; and (3) does not oppose HELCO's request to recover the interim rate increase through the implementation of a surcharge to the various classes of service, based on a percentage of the customer's bill (exclusive of the energy cost adjustment clause charges and other surcharges).⁹

⁹See Rebuttal Testimony of Warren H.W. Lee at 4.

D.

HRS § 269-16(d)

HRS § 269-16(d) requires that the commission make every effort to complete its deliberations with respect to a public utility's request for a rate increase "as expeditiously as possible and before nine [(9)] months from the date the public utility filed its completed application." The statute further provides that, if such deliberations are not concluded within the nine (9)-month period, the commission shall render an interim decision within one (1) month after the expiration of the nine-month period. The commission may postpone its interim rate decision an additional thirty (30) days if the commission considers the evidentiary hearing incomplete. The interim decision may allow an increase in rates if the commission believes the public utility is "probably entitled" to such interim rate relief.¹⁰

HELCO filed its Application on May 5, 2006. The expiration of the nine (9)-month period for issuing a

¹⁰With regard to interim rate relief, the commission has previously determined that:

. . . in deciding interim rate relief, the commission's scrutiny of both the record and the discourse during the evidentiary hearings is a search for showings of probable entitlement. This search is necessarily quick, unlike the careful deliberation the commission consistently accords issues in rendering final decisions. In deciding interim rate relief, the commission must often postpone determinations of reasonableness with respect to certain unresolved matters. Otherwise, the speed with which HELCO is given interim rate relief would be affected.

Interim Decision and Order No. 11559, filed on March 31, 1992, in Docket No. 6998, at 7.

decision and order in this proceeding is February 5, 2007. The ten (10)-month deadline for an interim decision is March 5, 2007. The eleven (11)-month period expires on April 5, 2007. Accordingly, this Interim Decision and Order is issued in compliance with HRS § 269-16(d) and addresses only the matters relevant to interim relief, specified as Issue 2 in Order No. 22903, filed on September 28, 2006: "What is the amount of the Interim Rate Increase, if any, to which HELCO is probably entitled under HRS § 269-16(d) of the Hawaii Revised Statutes?".

II.

Discussion

A.

Results of Operation

For interim relief purposes, the commission will apply the average test year methodology. Attached to this Interim Decision and Order are Exhibits A and B, which provide the estimates of operating revenues and expenses and the average depreciated rate base for the 2006 Test Year for purposes of this Interim Decision and Order.¹¹ These exhibits reflect the settlement between HELCO and the Consumer Advocate with respect to all issues impacting revenue requirements. In particular, the Parties have agreed to an across-the-board increase of

¹¹Any differences in the commission's numbers and HELCO's Exhibit I are due to rounding.

\$24,564,500 over present rates of \$324,073,100, or 7.58 per cent over present rates for a normalized 2006 test year.

The final rate of return on common equity to be adopted in this rate case will require further analysis. For purposes of this Interim Decision and Order, we accept a 10.7 per cent rate of return on common equity, for an overall rate of return of 8.33 per cent on the average depreciated rate base of \$357,238,100, all of which were agreed upon by the Parties.¹² Accordingly, we conclude that interim rate relief in the amount of \$24,564,500 in additional revenues, or a 7.58 per cent increase over revenues at present rates, is appropriate.¹³ Based on the record, it appears that HELCO will probably be entitled to the level of relief that we grant in this Interim Decision and Order. The interim relief granted meets HELCO's need for immediate rate relief and protects the interests of the ratepayers.

¹²With respect to those issues raised by KDC, HELCO requests that the commission not limit its determination of HELCO's probable entitlement to what are "uncontested" amounts by KDC. For the purposes of this interim decision and order, we have accepted the interim settlement amount agreed upon by the Parties, including a significant write down of the Keahole investment, which HELCO agreed to after intensive settlement negotiations with the Consumer Advocate. The commission will continue to analyze the issues raised by KDC and will issue a final decision on this matter in the commission's final decision and order.

¹³For interim purposes, the allocation of revenue increases to the various rate classes should reflect the proposal agreed upon by the Parties, and be imposed as a percentage of bill surcharge (exclusive of the energy cost adjustment clause and other surcharges), consistent with the treatment in past HELCO rate cases.

In arriving at the interim relief for additional revenues of \$24,564,500, the commission considered the Parties' agreements and disagreements concerning the components relevant in ratemaking, namely, the test year estimates of operating revenues (at present rates), operating expenses, average depreciated rate base, and rate of return on average rate base. Where the Parties agreed, we accepted such agreement for purposes of this Interim Decision and Order.

B.

Pension Tracking Mechanism

The Parties also agreed upon the establishment of a pension tracking mechanism proposed by the Consumer Advocate and an OPEB tracking mechanism which is intended to smooth the impact on ratepayers of potential fluctuations in pension costs, and generally would require HELCO to make fund contributions at the actuarially calculated net NPPC if allowed without penalty by the tax laws. As a result of agreeing to implement the pension tracking mechanism, HELCO proposed, and the Consumer Advocate accepted, after certain modifications, a tracking mechanism for OPEB, which mirrors the pension tracking mechanism. The Parties also agreed to interim rates that incorporate the 2006 Test Year NPPC of \$2,744,000 and NPBC of \$1,530,400, and amortization of the pension asset of \$2,554,000.¹⁴

¹⁴If the pension tracking mechanism is approved by the commission in the interim, in each future rate case, the cumulative amount of pension cost in rates since the last rate change will be compared to the cumulative amount of contributions

The commission emphasizes that the findings and adoption here of the various amounts reflected in Exhibits A and B are for the purpose of this Interim Decision and Order, only. Where the Parties agree, we accepted such agreement for the purposes of this Interim Decision and Order. It does not, in any way, commit the commission to accept any of these amounts in its final decision. We note that all of our decisions and rulings in this regard are subject to a more detailed review and analysis. The commission's final decision will reflect this review and analysis of all estimates and proposals of the Parties. Based on the record, it appears that HELCO will probably be entitled to the level of relief that we grant in this Interim Decision and Order. HELCO will be required to refund to its customers any excess collected under this Interim Decision and Order, together with such interest as provided for by HRS § 269-16(d), if the final increase approved by the commission is less than the total interim increase granted by this Interim Decision and Order.

III.

Ultimate Findings of Fact and Conclusions of Law

The commission makes the following findings of fact and conclusions of law.

to the pension fund since the rate change, and the difference will be included as a reduction to rate base (if positive) or an addition to rate base (if negative). The test year ending pension balance in rate base will then be amortized over five (5) years.

1. HRS § 269-16(d) mandates that the commission make every effort to complete its deliberations and issue a final decision in public utility rate cases within nine (9) months after a completed application has been filed by a utility. If such deliberations are not concluded within the nine (9)-month period, the commission shall render an interim decision within one (1) month after the expiration of the nine (9)-month period. The interim decision may be postponed an additional thirty (30) days if the commission considers the evidentiary hearing incomplete.

2. The ten (10)-month period for the issuance of an interim rate decision in this docket expired on March 5, 2007. Since the evidentiary hearing had not yet begun as of that date (it is scheduled for the week of May 7, 2007), the evidentiary hearing, as of the ten (10)-month deadline, was incomplete. The eleven (11)-month period for the issuance of an interim rate decision in this docket expires on April 5, 2007. This Interim Decision and Order is issued in compliance with HRS § 269-16(d).

3. Pursuant to HRS § 269-16(d), the commission may grant an interim increase, subject to refund and interest, pending a final decision, if the commission believes that the public utility is probably entitled to an increase in its rates.

4. Based on the evidentiary record before the commission, HELCO is probably entitled to an increase in its rates.

5. Without interim relief, HELCO may be denied an opportunity to earn a fair return on its rate base.

6. For interim decision purposes, pending a final decision in this docket, it is appropriate and reasonable to adopt an average depreciated rate base of \$357,238,100, a rate of return on the rate base of 8.33 per cent, and test year results of operations, as set forth in Exhibit A, which is attached to this Interim Decision and Order.

7. An interim increase in revenues of \$24,564,500, or an increase of 7.58 per cent over revenues at present rates, is just and reasonable.

8. Interim commission approval of the adoption of the pension and OPEB tracking mechanisms and interim rates that incorporate the 2006 Test Year NPPC of \$2,744,000 and NPBC of \$1,530,400, and amortization of the pension asset of \$2,554,000, as agreed upon by the Parties, is just and reasonable.

IV.

Orders

THE COMMISSION ORDERS:

1. HELCO may increase its rates, on an interim basis, to such levels as will produce, in the aggregate, \$24,564,500 in additional revenues for the 2006 Test Year (7.58 per cent more than at present rates). This interim rate increase shall be effective from the date of this Interim Decision and Order, until the commission issues a final decision in this docket.

2. HELCO may adopt the pension and OPEB tracking mechanisms and interim rates that incorporate the 2006 Test Year NPPC of \$2,744,000 and NPBC of \$1,530,400, and amortization of

the pension asset of \$2,554,000, as of the date of this Interim Decision and Order.

3. Not later than April 13, 2007, HELCO shall submit a revised schedule of rates and charges, reflecting the increase in rates allowed by this Interim Decision and Order. HELCO shall also serve a copy of the revised schedule upon the Consumer Advocate and KDC.

4. Upon issuance of the final Decision and Order in this proceeding, any amount collected pursuant to this interim rate increase that is in excess of the increase determined by the final decision and order to be just and reasonable shall be refunded to HELCO's ratepayers, together with interest, as provided by HRS § 269-16(d).

DONE at Honolulu, Hawaii APR - 4 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By: John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Benedyne S. Stone
Commission Counsel
05-0315 en

HAWAII ELECTRIC LIGHT COMPANY, INC.
RESULTS OF OPERATIONS
2006
(\$ IN 000'S)

	PRESENT RATES	ADDITIONAL AMOUNT	INTERIM RATES
Operating Revenues:			
Electric	323,147.7	24,393.4	347,541.1
Other	925.4	171.1	1,096.5
Total Operating Revenues	324,073.1	24,564.5	348,637.6
Operating Expenses:			
O&M:			
Fuel	78,583.5		78,583.5
Purchased Power	117,209.7		117,209.7
Production	21,041.2		21,041.2
Transmission	2,340.7		2,340.7
Distribution	6,364.0		6,364.0
Customer Accounts	3,185.6		3,185.6
Allowance for Uncollectible Accounts	387.8	29.3	417.1
Customer Service	1,508.8		1,508.8
Administrative & General	15,213.5		15,213.5
Total O&M	245,834.8	29.3	245,864.1
Depreciation & Amortization	28,772.0		28,772.0
Amortization of State ITC	(490.3)		(490.3)
Taxes, Other than Income Taxes	30,178.3	2,175.7	32,354.0
Interest - Customer Deposits	55.8		55.8
Income Taxes	3,624.2	8,700.0	12,324.2
Total Operating Expenses	307,974.8	10,905.0	318,879.8
Net Operating Income	16,098.3	13,659.5	29,757.8
Average Depreciated Rate Base	360,408.4	(3,170.5)	357,237.9
Rate of Return	4.47%		8.33%

HAWAII ELECTRIC LIGHT COMPANY, INC.
TAXES OTHER THAN INCOME TAXES
(\$ IN 000'S)

	PCT.	PRESENT RATES	INTERIM RATES
Electric Revenues		323,147.7	347,541.1
Other Revenues		925.4	1,096.5
Operating Revenues		324,073.1	348,637.6
PUBLIC SVC CO TAX	0.05885	19,048.9	20,492.8
PUC FEES	0.00500	1,618.4	1,741.1
FRANCHISE ROYALTY TAX	0.02500	8,069.0	8,678.1
		28,736.3	30,912.0
PAYROLL TAXES		1,442.0	1,442.0
		30,178.3	32,354.0
		=====	=====

HAWAII ELECTRIC LIGHT COMPANY, INC.
COMPUTATION OF INCOME TAX EXPENSE
(\$ IN 000'S)

	PRESENT RATES		INTERIM RATES
	-----		-----
Income:			
Operating Revenues	323,147.7	24,393.4	347,541.1
Other	925.4	171.1	1,096.5
	-----	-----	-----
Total Income	324,073.1	24,564.5	348,637.6
	-----	-----	-----
Deductions:			
Fuel Oil & Purchased Power	195,793.2		195,793.2
Other O&M Expenses	50,041.6	29.3	50,070.9
Depreciation	28,772.0		28,772.0
Amortization of State ITC	(490.3)		(490.3)
Taxes, Other than Income Tax	30,178.3	2,175.7	32,354.0
Interest on Customer Deposit	55.8		55.8
	-----	-----	-----
Total Deductions	304,350.6	2,205.0	306,555.6
	-----	-----	-----
Tax Adjustments:			
Interest Expense	(10,021.0)		(10,021.0)
Meals & Entertainment	24.0		24.0
	-----	-----	-----
Total Tax Adjustments	(9,997.0)	0.0	(9,997.0)
	-----	-----	-----
Taxable Income	9,725.5	22,359.5	32,085.0
	=====	=====	=====
Income Tax:			
Tax Rate:	38.9098%	3,784.2	8,700.0
			12,484.2
Tax Benefits of Domestic Production Activities Deduction	(160.0)		(160.0)
	-----	-----	-----
Total Income Tax	3,624.2	8,700.0	12,324.2
	=====	=====	=====

HAWAII ELECTRIC LIGHT COMPANY, INC.
AVERAGE DEPRECIATED RATE BASE
(\$ IN 000'S)

	BEGINNING BALANCE	END OF YEAR BALANCE
	<u> </u>	<u> </u>
Net Plant in Service	439,895.0	456,696.0
Additions:		
Materials & Supplies Inventories	3,321.6	3,376.9
Fuel Oil Inventory	8,240.9	8,240.9
Property Held for Future Use	129.0	129.0
Unamortized Net SFAS 109 Reg. Assets	10,888.0	10,655.0
OPEB Amount	-	-
Pension Asset	15,515.0	12,771.0
	<u> </u>	<u> </u>
Total Additions	38,094.5	35,172.8
	<u> </u>	<u> </u>
Deduct:		
Unamortized CIAC	56,925.0	59,936.0
Customer Advances	28,597.0	31,780.0
Customer Deposits	920.0	941.0
Accumulated Def. Income Taxes	26,108.0	25,631.0
Unamortized ITC	11,246.5	11,877.2
	<u> </u>	<u> </u>
Total Deductions	123,796.5	130,165.2
	<u> </u>	<u> </u>
Depreciated Rate Base		
Before Working Cash	354,193.0	361,703.6
	=====	=====
Average		357,948.3
Add Working Cash		2,460.1
		<u> </u>
Average Depreciated Rate Base - Present Rates		360,408.4
Less Change in Working Cash		(3,170.5)
		<u> </u>
Average Depreciated Rate Base - Interim Rates		357,237.9
		=====

HAWAII ELECTRIC LIGHT COMPANY, INC.
COMPUTATION OF WORKING CASH ITEMS
(\$ IN 000'S)

	Collection Lag Days	Payment Lag Days	Net Lag Days	Net Lag Days/365
Expenses Requiring Cash:				
Fuel Oil Purchases	38	16.0	22	0.1
Purchased Power	38	37.0	1	0.0
O&M - Labor	38	12.0	26	0.1
Expenses Providing Cash:				
O&M Nonlabor	38	39.0	-1	(0.0)
Revenue Taxes	38	74.0	-36	(0.1)
Income Taxes - Present Rates	38	162.0	-124	(0.3)
Income Taxes - Interim Rates	38	162.0	-124	(0.3)

	Present Rates		Interim Rates	
	Expense	Working Cash	Expense	Working Cash
Expenses Requiring Cash:				
Fuel Oil Purchases	78,090.7	4,706.8	78,090.7	4,706.8
Purchased Power	117,209.7	321.1	117,209.7	321.1
O&M - Labor	19,199.0	1,367.6	19,199.0	1,367.6
Subtotal	214,499.4		214,499.4	
Payroll Taxes	(1,442.0)		(1,442.0)	
TOTAL	213,057.4		213,057.4	
	=====		=====	

Expenses Providing Cash:				
O&M Nonlabor	32,389.6	(88.7)	88.7	(88.7)
Revenue Taxes - Interim Rates	28,736.3	(2,834.3)	84.7	(3,049.2)
Income Taxes - Present Rates	2,980.2	(1,012.4)		
Income Taxes - Interim Rates	11,680.2		32.0	(3,968.0)
Total		2,460.1		(710.4)
Change in Working Cash				(3,170.5)
				=====

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Interim Decision and Order No. 23342 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
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DIVISION OF CONSUMER ADVOCACY
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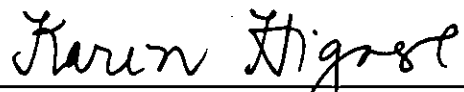
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Karen Higashi

DATED: APR - 4 2007